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6 Attorneys for Plaintiffs

7 [Additional counsel listed on signature page]

8  
9 UNITED STATES DISTRICT COURT  
10 SOUTHERN DISTRICT OF CALIFORNIA  
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12 JOHN KERR, EDWARD LI,  
13 TIM BARNARD, and KENNETH  
CURTIS, individually and on behalf of  
all others similarly situated,

14 Plaintiffs,  
15

16 vs.

17 ZACKS INVESTMENT RESEARCH,  
INC., an Illinois corporation,  
18 NATIONAL MARKETING  
RESOURCES, LLC, a Missouri limited  
liability company; PARADIGM  
19 DIRECT LLC, a Delaware limited  
liability company; PARADIGM  
20 DIRECT MARKETING, LLC, a  
Delaware limited liability company;  
21 RESPONSE NORTH, LLC, a Utah  
limited liability company; ZACKS  
22 INVESTMENT MANAGEMENT,  
INC. an Illinois corporation; and DOES  
23 6-50, inclusive,

24 Defendants.  
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CASE NO. 16-CV-01352 GPC BLM  
**NOTICE OF SETTLEMENT**

1 The parties wish to advise the Court that they have reached a settlement in the  
 2 above-captioned matter. On January 13, 2017 and April 7, 2017, counsel and  
 3 representatives of all litigants attended mediation sessions before retired United  
 4 States Magistrate Judge Leo S. Papas. Those mediation sessions were unsuccessful  
 5 and the parties continued to litigate. However, the parties continued settlement  
 6 discussions with the assistance of Judge Papas, and, as a result of a mediator's  
 7 proposal, have reached an agreement to settle this action.

8 The parties are in the process of preparing a formal settlement agreement.  
 9 The parties anticipate that Plaintiff will be able to file a motion for preliminary  
 10 approval within approximately forty-five (45) days.

11  
 12 Dated: August 10, 2017

DOSTART HANNINK & COVENEY LLP

13  
 14 /s/ Zach P. Dostart

15 ZACH P. DOSTART  
 16 Attorneys for Plaintiffs

17 Dated: August 10, 2017

BURKE, WARREN, MACKAY &  
 18 SERRITELLA, P.C.

19  
 20 /s/ Danielle J. Gould

21 DANIELLE J. GOULD  
 22 Attorneys for Defendants  
 23 ZACKS INVESTMENT RESEARCH, INC. and  
 24 ZACKS INVESTMENT MANAGEMENT, INC.  
 25  
 26  
 27  
 28

1 Dated: August 10, 2017

MEYLAN DAVITT JAIN AREVIAN &  
KIM LLP

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/s/ Raymond B. Kim

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RAYMOND B. KIM

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Attorneys for Defendants

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NATIONAL MARKETING RESOURCES, LLC  
and PARADIGM DIRECT, LLC

8 Dated: August 10, 2017

LEWIS BRISBOIS BISGAARD &  
SMITH LLP

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/s/ Stephen H. Turner

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STEPHEN H. TURNER

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Attorneys for Defendant

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RESPONSE NORTH, LLC

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**SIGNATURE CERTIFICATION**

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to all persons signing the document, and I have obtained their authorization to affix their electronic signatures to this document.

Dated: August 10, 2017

DOSTART HANNINK & COVENEY LLP

/s/ Zach P. Dostart

ZACH P. DOSTART

Attorneys for Plaintiffs

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